

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

RYAN SANCHEZ,

Defendant.

2:20-CR-086-APG-EJY

Preliminary Order of Forfeiture

This Court finds Ryan Sanchez pled guilty to Counts One, Three, Five, and Six of a Six-Count Criminal Indictment charging him in Counts One, Three, and Five with interference with commerce by robbery in violation of 18 U.S.C. § 1951 and in Count Six with brandishing a firearm during and in relation to a crime of violence in violation of 18 U.S.C. § 924(c)(1)(A)(i). Criminal Indictment, ECF No. 13; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds Ryan Sanchez agreed to the forfeiture of the property and the imposition of the in personam criminal forfeiture money judgment set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment. Criminal Indictment, ECF No. 13; Change of Plea, ECF No. __; Plea Agreement, ECF No. __.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Plea Agreement and the Forfeiture Allegations of the Criminal Indictment and the offenses to which Ryan Sanchez pled guilty.

The following property and money judgment are (1) any firearm or ammunition involved in or used in any knowing violation of 18 U.S.C. § 924(c)(1)(A)(ii); (2) any firearm

1 or ammunition involved in or used in any violation of any other criminal law of the United
 2 States, 18 U.S.C. § 1951; (3) any firearm or ammunition intended to be used in any crime of
 3 violence, 18 U.S.C. § 924(c)(1)(A)(ii) or 18 U.S.C. § 1951; and (4) any property, real or
 4 personal, which constitutes or is derived from proceeds traceable to a violation of 18 U.S.C.
 5 § 1951, a specified unlawful activity as defined in 18 U.S.C. §§ 1956(c)(7)(A) and
 6 1961(1)(B), or a conspiracy to commit such offense and are subject to forfeiture pursuant to
 7 18 U.S.C. § 924(d)(1) with 28 U.S.C. § 2461(c), 18 U.S.C. § 924(d)(1), (2)(C), and (3)(A)
 8 with 28 U.S.C. § 2461(c), 18 U.S.C. § 981(a)(1)(C) with 28 U.S.C. § 2461(c), and 21 U.S.C.
 9 § 853(p):

- 10 1. a black Cobra .380 ACP semiautomatic handgun, bearing serial number
- 11 FS008261; and
- 12 2. any and all compatible ammunition
- 13 (all of which constitutes property)

14 and an in personam criminal forfeiture money judgment of \$1,435, and that the
 15 property will not be applied toward the payment of the money judgment.

16 This Court finds that on the government's motion, the Court may at any time enter
 17 an order of forfeiture or amend an existing order of forfeiture to include subsequently
 18 located property or substitute property pursuant to Fed. R. Crim. P. 32.2(e) and
 19 32.2(b)(2)(C).

20 The in personam criminal forfeiture money judgment complies with *Honeycutt v.*
 21 *United States*, 137 S. Ct. 1626 (2017).

22 This Court finds the United States of America is now entitled to, and should, reduce
 23 the aforementioned property to the possession of the United States of America.

24 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
 25 DECREED that the United States of America should seize the aforementioned property.

26 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the United
 27 States of America recover from Ryan Sanchez an in personam criminal forfeiture money
 28 judgment of \$1,435.

1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
2 rights, ownership rights, and all rights, titles, and interests of Ryan Sanchez in the
3 aforementioned property are forfeited and are vested in the United States of America and
4 shall be safely held by the United States of America until further order of the Court.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
6 of America shall publish for at least thirty (30) consecutive days on the official internet
7 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
8 describe the forfeited property, state the time under the applicable statute when a petition
9 contesting the forfeiture must be filed, and state the name and contact information for the
10 government attorney to be served with the petition, pursuant to Fed. R. Crim. P. 32.2(b)(6)
11 and 21 U.S.C. § 853(n)(2). In the alternative, if the value of the property is less than \$1,000,
12 the government may instead serve every person reasonably identified as a potential claimant
13 in lieu of publication pursuant to Fed. R. Crim. P. 32.2(b)(6)(C) with Fed. R. Civ. P. Supp.
14 Rule G(4)(a)(i)(A).

15 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual
16 or entity who claims an interest in the aforementioned property must file a petition for a
17 hearing to adjudicate the validity of the petitioner's alleged interest in the property, which
18 petition shall be signed by the petitioner under penalty of perjury pursuant to 21 U.S.C §
19 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's
20 right, title, or interest in the forfeited property and any additional facts supporting the
21 petitioner's petition and the relief sought.

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any,
23 must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas,
24 Nevada 89101, no later than thirty (30) days after the notice is sent or, if direct notice was
25 not sent, no later than sixty (60) days after the first day of the publication on the official
26 internet government forfeiture site, www.forfeiture.gov.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the
2 petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States
3 Attorney's Office at the following address at the time of filing:

4 Daniel D. Hollingsworth
5 Assistant United States Attorney
6 James A. Blum
7 Assistant United States Attorney
8 501 Las Vegas Boulevard South, Suite 1100
9 Las Vegas, Nevada 89101.

10 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice
11 described herein need not be published in the event a Declaration of Forfeiture is issued by
12 the appropriate agency following publication of notice of seizure and intent to
13 administratively forfeit the above-described property.

14 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
15 copies of this Order to all counsel of record and three certified copies to the United States
16 Attorney's Office, Attention Asset Forfeiture Unit.

17 DATED August 24, 2021.

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19 ANDREW P. GORDON
20 UNITED STATES DISTRICT JUDGE
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